

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

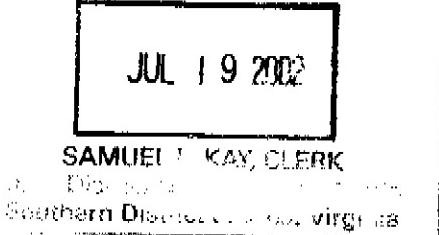
CHARLESTON DIVISION

PENNY KENNEDY,
RAYMOND KENNEDY
Individually and as the Legal Guardians
and natural parents of
TREVOR KENNEDY,

Plaintiffs,

v.

CIVIL ACTION NO. 2:02-0906
Joseph R. Goodwin, Judge



COMMUNITY HEALTH FOUNDATION OF MAN,
WEST VIRGINIA, INC., and DR. PLARIDEL TORDILLA, individually,
CHARLESTON AREA MEDICAL CENTER, INC.,
d/b/a WOMEN AND CHILDREN'S HOSPITAL OF WEST VIRGINIA,
d/b/a WOMEN AND CHILDREN'S HOSPITAL d/b/a CAMC CHILDREN'S
HOSPITAL, d/b/a CAMC WOMEN'S HOSPITAL, d/b/a CAMC WOMEN
AND CHILDREN'S HOSPITAL, NEW CENTURY EMERGENCY
PHYSICIANS, INC., W.V., a West Virginia Corporation, INPHYNET
HOSPITAL SERVICES, INC., a foreign corporation, doing business in
the state of West Virginia, and
DR. GORDON J. GREEN, individually,

Defendants.

WITHDRAWAL OF MOTION TO COMPEL

COMES NOW Defendants Gordon J. Green, M.D. and InPhyNet Hospital Services, Inc., by counsel, David L. Shuman, Karen Tracy McElhinny, and Shuman, McCuskey & Slicer, PLLC, and withdraw their previously filed Motion to Compel.

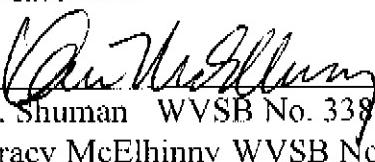
Plaintiff's have responded to Dr. Green's First Set of Interrogatories and Requests for Production and therefore the Motion is now moot.

**GORDON J. GREEN, M.D. AND
INPHYNET HOSPITAL SERVICES, INC.**

By counsel.

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By:



David L. Shuman WVSB No. 3389
Karen Tracy McElhinny WVSB No. 7517

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CERTIFICATE OF SERVICE

I, David L. Shuman/Karen Tracy McElhinny do here by certify that I served true and exact copies of the foregoing "**Withdrawal of Motion to Compel**" on all counsel of record via the United States Postal Service in a stamped envelope addressed as follows:

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*Counsel for United States (Community Health Foundation of
Man, West Virginia, Inc., and Plaridel Tordilla, M.D.)*

Dated this 18th day of July, 2002.



David L. Shuman, Esq. (WVSB 3389)
Karen Tracy McElhinny, Esq. (WVSE #7517)